

U.S. DEPARTMENT OF AGRICULTURE
WASHINGTON, D.C. 20250

DEPARTMENTAL REGULATION		NUMBER: 1042-147
SUBJECT: BLACK HILLS NATIONAL FOREST ADVISORY BOARD	DATE: JUN 16 2009	
	OPI: Forest Service	

1. PURPOSE AND SCOPE

This regulation re-establishes the Black Hills National Forest Advisory Board, hereafter referred to as the Board. The purpose of the Board is to provide advice and recommendations on a broad range of forest issues such as forest plan revisions or amendments, travel management, forest monitoring and evaluation, recreation fees, and site-specific projects having forest-wide implications.

2. AUTHORITIES

The Board is established consistent with the Federal Advisory Committee Act of 1972 (5 U.S.C. App. II); and the Forest and Rangeland Renewable Resources Planning Act of 1974 (16 U.S.C. sec. 1600 et.seq.); the National Forest Management Act of 1976 (16 U.S.C. sec. 1612), and the Federal Public Lands Recreation Enhancement Act (Public Law No. 108-447).

3. SPECIAL INSTRUCTIONS

- a. This regulation shall expire 2 years from the date of filing unless renewed by proper authority and appropriate action. This regulation supersedes DR 1042-147 dated March 5, 2007.
- b. The Board shall be chartered for 2 years.

4. OFFICERS AND MEMBERSHIP

- a. The membership of the Board shall consist of not more than 16 people; each of whom will represent a particular interest or point of view. The committee shall be representative of the Black Hills community interests and fairly balanced. Membership shall be representative of the interests shown in the following three categories:

(1) Five persons who—

- (a) represent economic development;
- (b) represent developed outdoor recreation, off-highway vehicle users, or commercial recreation;
- (c) represent energy and mineral development;
- (d) represent the commercial timber industry; or
- (e) hold a Federal grazing permit or other land use permit within the area for which the committee is organized.

(2) Five persons representing—

- (a) nationally recognized environmental organizations;
- (b) regionally or locally recognized environmental organizations;
- (c) dispersed recreation;
- (d) archaeology and history; or
- (e) nationally or regionally recognized sportsmen's groups, such as anglers or hunters.

(3) Six persons who hold—

- (a) South Dakota state-elected office or elected-officer's appointee;
- (b) Wyoming state-elected office or elected officer's appointee;
- (c) South Dakota or Wyoming county- or local-elected office
- (d) tribal government-elected or -appointed office;
- (e) a position as a South Dakota State natural resource agency official; and
- (f) a position as a Wyoming State natural resource agency official.

- b. The members of the Board shall elect the Chairperson of the Board for a 1-year term.
- c. Board members shall serve 2-year terms. Members may be reappointed for a total length of 6 years. No member other than an officer of the Department may serve more than 6 consecutive years except as authorized by Departmental Regulation 1041-1, section 11 (4), which requires prior approval by the Committee Management Official (CMO).

- d. If a Board member fails to attend two consecutive official meetings, the Secretary may remove the member from the Board.
- e. The Designated Federal Officer (DFO) shall be the Forest Supervisor, Black Hills National Forest.
- f. The Rocky Mountain Regional Forester shall appoint Board members.
- g. An alternate for a member may be appointed to serve in the absence of a member who is unable to attend a meeting of the Board or must leave the Board prior to the end of his or her term. The alternate must be predesignated in the same manner as the respective member was appointed.
- h. To the extent practicable, the members on the Board shall be composed of local residents.
- i. Equal opportunity practices, in line with USDA policies, shall be followed in all membership appointments to the committee. To ensure that the recommendations of the committee have taken into account the needs of the diverse groups served by the Department, membership shall include, to the extent practicable, individuals with demonstrated ability to represent women, minorities, and persons with disabilities.

5. DUTIES

- a. The Board shall provide timely advice and recommendations to the Secretary of Agriculture through the Forest Supervisor regarding programmatic forest issues and project level issues that have forest-wide implications.
- b. Consistent with applicable laws and Department regulations, the Board may adopt such by-laws or rules of operation as it deems advisable.
- c. The Board may create and operate subcommittees recommended by the members and approved by the Regional Forester or the Designated Federal Officer.
- d. The Board shall operate separately from the Resource Advisory Committees of the Rocky Mountain Region which was established under the Secure Rural Schools and Community Self-Determination Act of 2000 (Public Law No. 106-393) to review and recommend proposed national forest projects for the Secretary's approval on the portion of the Black Hills National Forest located in Custer County (South Dakota).

- e. The Board shall operate separately from representatives of cooperating agencies assisting with Phase II of the Forest Plan Amendment, whose authority and scope of duties are derived from the Council on Environmental Quality Regulations implementing the National Environmental Policy Act (40 CFR 1501.6).
- f. The Board is the Recreation Resources Advisory Committee for the Black Hills National Forest for the purposes of the Federal Public Lands Recreation Enhancement Act of 2005 (Public Law No. 108-447).

6. ESTIMATED ANNUAL OPERATING COSTS

- a. Members of the Committee serve without compensation. Reimbursement for travel and per diem for attendance at Board meetings called by the Chairperson and with an agenda approved by the DFO will be provided for eligible members.
- b. Annual operating costs are estimated to be \$20,000 and 30 percent of a staff year of support.

7. NUMBER AND FREQUENCY OF MEETINGS

- a. The Board will meet on a periodic basis, as often as is necessary to complete its business, normally 10 times per year.
- b. A quorum of the members of the Board must be present to constitute an official meeting of the committee.

8. REPORTS/SUPPORT

- a. The Board reports to the Secretary of Agriculture through the Forest Supervisor.
- b. Administrative support for the Board shall be provided by the Black Hills National Forest.

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